

Message Text

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ACTION SCSE-00

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FM AMEMBASSY BERLIN

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INFO AMEMBASSY BONN

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UNCLAS BERLIN 6210

E.O.11652: N/A

TAGS: CGE, CASC, GE, NL, GW

SUBJECT:W/W: WILLAIM CROWLEY AND PARTY.

REF: A) BERLIN 5973; B) PAR 3, AGREED MINUTE BETWEEN US
AND GDR ON ESTABLISHMENT OF DIPLOMATIC RELATIONS, 9/4/74;
C) PARR 36(1)(B) OF VIENNA CONVENTION ON CONSULAR RELATIONS.

1. IN PARA 3 OF REF A, THE EMBASSY DESCRIBED THE GDR LEGAL
PROCEDURE AS A CONSEQUENCE OF WHICH MR. CROWLEY WAS FINED
\$480.(MARSK 1200) FOR CAUSING AN AUTOMOBILE ACCIDENT ON
MAY 21 ON THE HELMSTEDT-BERLIN AUTOBAHN. A NOTE ON THIS
CASE WAS SENT TO THE MFA REQUESTING INFORMATION ON THE
PROCESSING OF THIS MATTER AND CITING REFS B AND C TO
ESTABLISH THE BASIS OF THE EMBASSY'S ENQUIRY.

2. ON JULY 8, EMBOFF (WOLF) CALLED AT CONSULAR DEPARTMENT
AT MFA(GROH) AT ITS REQUEST TO DISCUSS THE CASE. GROH
READ A STATEMENT ON THEMATTER CONTAINING THEFOLLOWING
SALIENT POINTS:

A. THE MFA DID NOT UNDERSTAND THE CONNECTION BETWEEN
THE REFERENCES TO THE AGREED MINUTE AND THE VIENNA CON-
VENTION AND THE CROWLEY CASE.

B. NONE OF THE CROWLEY PARTYWERE DETAINED, ARRESTED
OR RESTRICTED IN THEIR FREEDOM IN ANY WAY.

C. THEY VOLUNTEERED TO REMAIN IN HOSPITAL UNTIL
THEIR MEDICAL CONDITION PERMITTED SAFE MOVEMENT TO WEST

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D. CROWLEY DID NOT ASK TO SEE A LAWYER AND HE WOULD HAVE BEEN ASSITED TO CONTACT ONE IF HE WISHED.

E. " IN CONSCIOUSNESS OF HIS GUILT AND WITH KNOWLEDGE OF THE APPEALS POSSIBILITIES", HE ACCEPTED THE FINE AND REJECTED THE APPEAL.

F. AN INTERPRETER READ THE " PUNISHMENT ORDER" (STRAFBEFEHL) AND EXPLAINED THE LEGAL PROCEDURES TO CROWLEY IN ENGLISH.

G. THE CROWLEY PARTY AND THE AUTOMOBILE WERE TAKEN TO THE GDR-WEST BERLIN BORDER AT DREWITZ/DREI-LINDEN ON MAY 28.

H. CROWLEY THANKED GDR POLICE AND HOSPITAL PERSONNEL FOR THEIR POLITE AND CORRECT TREATMENT.

I. IF ANY OF THE PARTY HAD BEEN " SERIOUSLY INJURED," THE MFA WOULD HAVE NOTIFIED THE EMBASSY.

3. EMBOFF TOOK NOTE OF THE STATEMENT AND EXPLAINED THAT THE EMBASSY NOTE HAD NOT BEEN A COMPLAINT BUT RATHER A REQUEST FOR INFORMATION, GROH SAID THAT THE MFA HAD ASSUMED THAT THE CITATIONS(REF B AND C) SIGNIFIED DISSATISFACTION BY THE EMBASSY OVER THE PROCESSING OF THE CASE. EMBOFF SAID THAT THEY HAD MERELY SET FORTH THE BASIS OF THE INQUIRY AND ADDED THAT IF WE EVER WERE DISSATISFIED WITH THE PROCESSING OF A CASE WE WOULD CLEARLY STATE OUR UNHAPPINESS.

4. COMMENT:. WE BELIEVE THIS CASE CAN BE CONSIDERED CLOSED. NEVERTHELESS, OUR QUESTIONS WERE USEFUL TO DEMONSTRATE TO THE GDR OUR ATTENTION TO SUCH MATTERS. COOPER

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